

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

**OPTIMORPHIX, INC.,**

*Plaintiff,*

v.

**BROADCOM INC.,**

*Defendant.*

**Civil Action No. 5:23-cv-134-RWS-JBB**

**JURY TRIAL DEMANDED**

**UNOPPOSED MOTION FOR LEAVE TO FILE A FIRST AMENDED COMPLAINT**

COMES NOW, Plaintiff OptiMorphix, Inc., (“Plaintiff”), and files this Unopposed Motion for Leave to File a First Amended Complaint and shows the Court as follows:

On January 26, 2024, Broadcom Inc. (“Broadcom”) filed its Motion to Dismiss (Dkt. No. 13). Among other issues, Broadcom argued that its subsidiary, CA, Inc. (“CA”) is the proper Defendant (as opposed to Broadcom) in the above-captioned action in view of the allegations in the Complaint (Dkt. No. 1).

After meeting and conferring, Plaintiff, Broadcom, and CA have agreed, subject to the Court’s approval, to substitute CA as the named Defendant in the above-captioned action. Pursuant to this agreement, Plaintiff has agreed to amend its Complaint and file a First Amended Complaint on February 23, 2024.

Plaintiff’s First Amended Complaint will not change the patents asserted in the case nor the products accused of infringing each respective patent. The purpose of the amendment will be to substitute CA for Broadcom and to update the allegations of knowledge of the patents-in-suit consistent with this substitution.

Pursuant to Federal Rule of Civil Procedure 15(a)(2), Plaintiff has secured the written consent of both Broadcom and CA to file its First Amended Complaint.

WHEREFORE, Plaintiff respectfully requests that the Court grant leave to Plaintiff to file its First Amended Complaint.

Dated: February 23, 2024

Respectfully submitted,

/s/ Daniel P. Hipskind

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**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that counsel for Plaintiff met and conferred with counsel for Broadcom Inc. and CA, Inc. and this motion is unopposed.

/s/ Daniel P. Hipskind